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DE RUEHC #9276/01 2960452  
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FM SECSTATE WASHDC  
TO RUEHLC/AMEMBASSY LIBREVILLE PRIORITY 5698-5699  
INFO RUEHGI/AMEMBASSY BANGUI PRIORITY 1463-1464  
RUEHBZ/AMEMBASSY BRAZZAVILLE PRIORITY 1657-1658  
RUEHJB/AMEMBASSY BUJUMBURA PRIORITY 3017-3018  
RUEHKI/AMEMBASSY KINSHASA PRIORITY 0485-0486  
RUEHLU/AMEMBASSY LUANDA PRIORITY 1029-1030  
RUEHNJ/AMEMBASSY NDJAMENA PRIORITY 4990-4991  
RUEHYD/AMEMBASSY YAOUNDE PRIORITY 1651-1652  
RUEHMA/AMEMBASSY MALABO PRIORITY 0711-0712  
RHMFISS/CDR USAFRICOM STUTTGART GE PRIORITY

UNCLAS SECTION 01 OF 02 STATE 109276

SENSITIVE

C O R R E C T E D C O P Y (SENSITIVE CAPTION ADDED)

SIPDIS

E.O. 12958: N/A

TAGS: [EAID](#) [GB](#) [PREL](#)

SUBJECT: REQUEST FOR INFORMATION ON CEEAC CONTROLS OF  
U.S.-ORIGIN DEFENSE ARTICLES

REF: STATE 108057

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¶1. (U) Summary: This is an action request; see paragraph 5. The Department is seeking preliminary information from Economic Community of Central African States (French acronym: CEEAC) to determine whether the United States and CEEAC may enter into an agreement to transfer defense articles and services. End Summary.

#### BACKGROUND

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¶2. (SBU) On September 7, President Obama signed a Presidential Determination (PD) recognizing that "the furnishing of defense articles and defense services to the Economic Community of Central African States will strengthen the security of the United States and promote world peace." The PD for CEEAC is similar to previous PDs for the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), and the African Union (AU) and is intended to enable the USG to provide targeted assistance to this African entity to increase peacekeeping and crisis response capacity, strengthen interoperability, and improve our mil-to-mil cooperation.

¶3. (SBU) One of several steps required before the U.S. may approve transfer of any defense articles and defense services to CEEAC is to conclude a "Section 505" agreement with CEEAC. Such agreements establish end use, retransfer, and security obligations applicable to, at a minimum, defense articles and defense services provided on a grant basis pursuant to the Foreign Assistance Act of 1961, as amended (FAA). To prepare for negotiations on a Section 505 agreement with CEEAC, the Department requires preliminary information from CEEAC about its authority, reliability, access, and enforcement mechanisms. The Department requests that Post provide the questions in paragraph 5 in writing to, and obtain a response in writing from, appropriate CEEAC authorities.

¶4. (SBU) We seek to clearly establish that, should the USG provide CEEAC with goods or services in the future, CEEAC is willing and able to deny such goods or services to any CEEAC member state that is or may in the future be prohibited from receiving U.S.-origin goods or services. Any assistance provided to the CEEAC Standby Brigade or other entity would

be considered on a case-by-case basis and must also comply with all relevant existing legal obligations, including, where appropriate, all current or future restrictions applicable to CEEAC members.

INFORMATION NEEDED FROM CEEAC

15. (U) The Department requests that Post engage CEEAC leadership at the appropriate level to obtain written answers to the following questions. This information is necessary to determine whether the United States and CEEAC may enter into a reliable and enforceable Section 505 agreement. Post is also encouraged to draw on the points in reftel when approaching the Secretariat.

a. Which CEEAC entity will be responsible for the negotiation of the end-use, retransfer and security agreement with the United States?

b. Which CEEAC entity/entities will be involved in the approval of such an agreement?

c. Will the agreement be approved by the CEEAC Summit (Heads of State or Government)?

d. Will the agreement be approved by each CEEAC Member State? Would approval be by vote? Or, if approval would be by "consensus," would "consensus" mean only that there is no opposition (abstentions would not hold up the agreement)?

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e. How would CEEAC establish and enforce end-use, retransfer, and security obligations?

f. May CEEAC restrict the access to USG-provided articles and services by nationals of designated CEEAC Member States?

g. May the Executive Secretary, as custodian of such items, restrict the access provided to Secretariat employees based upon their nationality?

h. How would the Secretariat secure articles and services provided by the USG?

i. Will CEEAC be able to comply with restrictions on use of articles and assistance provided by the USG?

j. Would the agreement resulting in the imposition of restrictions on access to certain items based on nationality be considered to be compatible with the objectives of CEEAC and the provisions of the CEEAC Declaration and Charter?

k. Has the CEEAC Tribunal rendered any decisions where issues of nationality or national access to CEEAC property were raised? If so, please provide copies of the rulings.

l. What measure would CEEAC take with respect to persons or countries that fail to uphold CEEAC obligations?

POINT OF CONTACT

16. (U) Please report results by cable slugged to PM/RSAT, PM/PPA, AF/RSA, and L/PM. PM/RSAT POC is Amy Van Buren.  
CLINTON